

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CR No.6123 of 2017 (O&M)

Date of Decision: 21.09.2017

The Scheduled Caste Cooperative Society Ltd.

... Petitioner.

Versus

Niranjan Singh now deceased through LR's and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Jagdeep Bains, Advocate,
for the petitioner.

ANIL KSHETARPAL, J. (ORAL).

The judgement-debtor is in revision petition against the order dated 30.8.2017.

Learned counsel for the petitioner has submitted that the decree passed against judgement-debtor is only with respect to Rs.5,26,097/-, whereas large portion of the property of the petitioner is being put to auction.

With the help of the learned counsel, I have gone through the impugned order passed by the Court. No such plea pressed and noticed by the Court.

Learned counsel for the petitioner has also drawn my attention to the reply filed by the petitioner wherein also this fact has not been disclosed.

Hence, the petitioner cannot be permitted to contend a point,

which has not been raised before the Court below.

The petitioner would be at liberty to move an appropriate application before the Court bringing to its notice that the value of the property sought to be auctioned is much higher as compared to the decretal amount. The petitioner would also be at liberty to request the Executing Court to auction only that portion of the property which would satisfy the decree.

The revision petition is disposed of.

(ANIL KSHETARPAL)
JUDGE

21.09.2017
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No